

Message Text

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41

ORIGIN ARA-10

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INRE-00 ACDA-05 OMB-01 CIAE-00 DODE-00 PM-04 H-02

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 EUR-12

IO-10 FAA-00 DOTE-00 MC-02 /100 R

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INR/RAR:CFINAN

AF/C:EFUGIT

L/EB:TTALLERICO (PHONE)

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FM SECSTATE WASHDC

TO AMEMBASSY BRIDGETOWN IMMEDIATE

C O N F I D E N T I A L STATE 298026

E.O. 11652: GDS

TAGS: PFOR, PINS, MOPS, CU, UR, AO

SUBJECT: CUBAN USE OF BARBADOS

REF: BRIDGETOWN 2248

1. FOLLOWING INTERPRETATION OF CHICAGO CONVENTION IS PROVIDED FOR YOUR BACKGROUND AND FUTURE REFERENCE SHOULD GOB SEEK GUIDANCE IN THIS REGARD TO STOP POSSIBLE FUTURE CUBAN USE OF BARBADOS: CHICAGO CONVENTION DOES NOT APPLY TO STOPS OF ALL REPEAT ALL AIRCRAFT. MOST IMPORTANTLY CHAPTER 1, ARTICLES 3 (B) AND (C) MAKE IT CLEAR THAT THE WHOLE CONVENTION DOES NOT APPLY TO AIRCRAFT USED IN MILITARY SERVICES. FURTHERMORE, IF THEY CARRY "MUNITIONS OF WAR OR IMPLEMENTS OF WAR" (CHAPTER V, ARTICLE 35, A),
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THERE ARE RESTRICTIONS ON THE USE OF CIVIL AIRCRAFT THAT

WOULD OTHERWISE QUALIFY UNDER THE TERMS OF THE CONVENTION.
IN LIGHT OF THESE PROVISIONS CHICAGO CONVENTION DOES NOT
OPERATE TO REQUIRE GOB TO ALLOW THE CUBAN FLIGHTS TO
LAND. SOME ADDITIONAL PERMISSION IS REQUIRED. IT SEEMS
ABUNDANTLY CLEAR, THEREFORE, THAT GOB HAS FULL LEGAL
RIGHT TO STOP THESE FLIGHTS. KISSINGER

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